

Notice of Allowability

Application No.

09/678,165

Examiner

Jean B Corrielus

Applicant(s)

ATARIUS ET AL.

Art Unit

2637

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9/15/05.
2. ☒ The allowed claim(s) is/are 8-12, 14, 17-25, 28-39, renumbered as 1-27, respectively.
3. ☒ The drawings filed on 10/2/00
are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


JEAN B. CORRIELUS
PRIMARY EXAMINER

10.28.03

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Michael Cameron on 10/18/05.

The application has been amended as follows:

Michael Cameron on 10/11/05.

IN THE CLAIMS:

Claims 9, 11, and 12 have been rewritten as follow:

9. (Amended) The method according to claim 8, wherein said step of processing said signal and a generated code using said at least one first location to produce at least one second location further comprises the step of correlating said plurality of shifted variables with said non-shifted one of said signal and said generated code [variable] to produce a plurality of correlation values.

11.(Amended) The method according to claim 9, wherein said shifted variables comprise said [received] signal and said non-shifted one of said signal and said generated code [variables] comprises said generated code.

12.(Amended) The method according to claim 9, wherein said shifted variables comprise[s] said generated code and said non-shifted one of said signal and said generated code [variable] comprises said [received] signal.

Claim 14, line 13, "one correlator" has been replaced by --two correlators-- in each occurrence; line 13, --each of-- has been inserted before "said"; line 13, --at least two--has been inserted before shifted; line 13, "version" has been replaced by --versions--.

Claim 20, line 3, "comprises a plurality of matched filters, said" has been deleted; line 4 "plurality of matched filters" has been deleted; line 4, "include" has been replaced by --includes--.

Claim 21, line 1, "said at" has been deleted; line 2, "least one correlator comprises a plurality of correlators" has been deleted; line 2, "plurality" has been replaced by -- at least two--.

Claim 22, line 3, "said at least one correlator comprises a plurality of correlators" has been deleted; line 4, "plurality" has been replaced by -- at least two--; line 6, "or a related value" has been deleted.

Claim 25, line 3, before output, "at least one" has been replaced by --an--; line 3, after from, --each of-- has been inserted before "said"; line 3, "one correlator" has been replaced by --two correlators--.

Claim 29, line 9, "a" has been deleted; line 16, "one correlator" has been replaced by --two correlators-- in each occurrence; line 16, --each of-- has been

inserted before "said"; line 16, after performing, "at least" has been deleted; line 19, "or" has been replaced by --and--; line 20, after shifted, "version" has been replaced by --versions--.

Claim 30, line 6, --a-- has been inserted before code; line 13, "one correlator" has been replaced by --two correlators-- in each occurrence; line 13, --each of-- has been inserted before "said".

Claim 34, line 3, "comprises a plurality of matched filters, said" has been deleted; line 4 "plurality of matched filters" has been deleted; line 4, "include" has been replaced by --includes--.

Claim 35, line 2, "said at least one correlator comprises a plurality of correlators" has been deleted; line 3, "plurality" has been replaced by -- at least two--.

Claim 36, line 3, "said at least one correlator comprises a plurality of correlators" has been deleted; line 4, "plurality" has been replaced by -- at least two--.


Claim 39, line 3, before output, "at least one" has been replaced by --an--; line 3, after from, --each of-- has been inserted before "said"; line 3, "one correlator" has been replaced by --two correlators--; line 3, "the outputs of said" has been deleted; line 4, "correlators" has been deleted.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean B. Corrielus whose telephone number is 571-272-3020. The examiner can normally be reached on Maxi-Flex.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jay Patel can be reached on 571-272-2988. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Jean B Cornelius
Primary Examiner
Art Unit 2637

10-28-05